

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 IO-13
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FM USMISSION USBERLIN
TO AMEMBASSY BONN
INFO SECSTATE WASHDC 3842
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AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO

C O N F I D E N T I A L USBERLIN 190

E.O. 11652: GDS
TAGS: PFOR, PGOV, WB, GE, GW, UR
SUBJECT: PROTEST MADE TO SOVIETS ON TRANSIT PROBLEMS

REFS: A) USBERLIN 170, B) BONN 854, C) BONN 737

1. SUMMARY: CHAIRMAN (BRITISH) POLAD DELIVERED AGREED PROTEST STATEMENT TO SOVIETS JANUARY 17 ON RECENT GDR INTERFERENCE WITH GERMAN TRANSIT TRAFFIC. SOVIET EMBASSY COUNSELLOR RECEIVED STATEMENT IN LOW-KEY FASHION, SAYING HE HAD NO KNOWLEDGE OF INCIDENTS, THAT THEY SOUNDED LIKE MATTERS THAT SHOULD BE DEALT WITH BY FRG-GDR TRANSIT COMMISSION, BUT THAT HE WOULD LOOK INTO THEM. END SUMMARY.

2. FOLLOWING IS REPORT OF MEETING PROVIDED US BY BRITISH POLAD:

BEGIN TEXT: AFTER I HAD HANDED OVER THE AGREED
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PROTEST, KHOTULEV SAID THAT HE WAS NOT AWARE OF THE INCIDENTS REFERRED TO, HOWEVER, DETAILED TRANSIT MATTERS WERE REGULATED BY THE GDR/FRG TRANSIT TRAFFIC AGREEMENT. ANY DIFFICULTIES WERE DISCUSSED IN THE APPROPRIATE FORUM, I.E., THE TRANSIT COMMISSION, AND HE COULD NOT UNDERSTAND WHY WE HAD FOUND IT NECESSARY TO RAISE THESE INCIDENTS

WITH THE RUSSIANS.

KHOTULEV THEN SOUGHT TO PLAY DOWN THE
IMPLICATIONS OF THE INCIDENTS:

A) CONCERNING THE 2 OCCASIONS WHEN SEALS WERE
BROKEN DURING SEARCHES OF WEST GERMAN TRUCKS,
HE MAINTAINED THAT THE TRANSIT TRAFFIC AGREEMENT
ALLOWED FOR EXAMINATION BY CUSTOMS IF VALID REASONS
FOR SUSPECTED MISUSE EXISTED. WE SHOULD APPRECIATE
THAT, GIVEN THE MANY ATTEMPTS AT EXFILTRATION,
THE GDR AUTHORITIES HAD SHOWN CONSIDERABLE
FORBEARANCE. IT WAS INDEED REMARKABLE THAT WITH
SUCH EXTENSIVE TRANSIT TRAFFIC WE COULD ONLY FIND
TWO INCIDENTS TO COMPLAIN AGAINST. FRG LORRIES
WERE KNOWN TO ABUSE THE SEALING SYSTEM AND SEALS
HAD HAD TO BE BROKEN QUITE FREQUENTLY. IN REPLY,
I POINTED OUT THAT THESE INFRACTIONS OF THE TTA
HAD ALREADY BEEN DISCUSSED IN THE TRANSIT COMMISSION
(ON 25 NOVEMBER) WITHOUT RESULT. WE WERE NOW
BRINGING THEM TO THE RUSSIANS ATTENTION AS CLEAR
VIOLATIONS OF PARA 2(A) OF ANNEX 1 OF THE QA.
I ASKED FOR DETAILS OF THE PREVIOUS INCIDENTS
REFERRED TO BY KHOTULEV.

COMMENT: WE ASSUME KHOTULEV WAS IN FACT
CONFUSING THE PROCEDURE FOR UNSEALED VEHICLES WITH
THAT OF SEALED BUT WILL SEE WHAT HE COMES UP
WITH.

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B) ON THE DELAYS OF 22-23 DECEMBER, KHOTULEV,
AGAIN CLAIMING IGNORANCE, SUGGESTED THAT CONGESTION
BEFORE CHRISTMAS WAS THE LIKELY REASON. I REPLIED
THAT THERE WAS NO EVIDENCE OF CONGESTION AT THE TIME
BUT PLENTY OF EVIDENCE THAT DELIBERATE-AND HENCE
ILLEGAL-DELAYS WERE IMPOSED.

KHOTULEV UNDERTOOK TO INVESTIGATE ALL THREE
COMPLAINTS. END TEXT. DAVIS

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